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Canyon Fuel Company, LLC
Soldier/Dugout Canyon Mine
P.O. Box 1029
Wellington, Utah 84542
(435)637-6360 Fax: (435)636-2897

INCOMING
C0070039

OK

August 28, 2003

Ms. Pamela Grubaugh-Littig
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple
Suite 1210
Salt Lake City, UT 84114-5801

RE: Revisions to Methane Degassification Amendment, Wells G-1, G-2, and G-3,
Canyon Fuel Company, LLC, Dugout Mine, C/007/039

Dear Ms. Grubaugh-Littig:

Enclosed please find four copies of the submittal to address revisions to the methane degassification wells amendment for Dugout Canyon Mine. The information provided in the degassification amendment is to be kept in a separate binder and not incorporated into the M&RP binders. However, Appendix 5-6, Reclamation Bond of the M&RP is part of this amendment and has received revisions and will need to be incorporated into the M&RP binders once this amendment has been approved. Wayne Western has reviewed the bond and we are submitting it for incorporation in the M&RP.

The information provided addressed concerns of the reviewers. The productivity letter from the NRCS has not yet been received. The notification letter to the land owner will be written once the amendment has been approved, a copy of the letter will be incorporated into the amendment at a later date. Attached is a explanation associated with several concerns, which should answer questions which may arise and explain why concerns have been addressed a certain way.

An additional copy of the submittal has been delivered to the Price Field Office.

Please contact Vicky Miller at (435) 636-2869, if there are any questions concerning this submittal.

Sincerely yours,

Vicky S. Miller

Cc: Chris Hansen (no enclosures)
Dave Spillman (enclosures)
Pete Hess (enclosures)

File in: C0070039.2003. Incoming
Refer to:
☐ Confidential
☐ Shelf
☒ Expandable
Date: 08.28.03 For additional information

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DIV. OF OIL, GAS & MINING

Technical Explanation

R645-301-121.200 In Section 342 we had described where the rocks and vegetation were going to be stored, which was unclear to you as was the "how" they were to be stored. Due to previous conversations with Division personnel the vegetation was not to be incorporated into the topsoil due to its size and was not to be burned and due to the current findings the "perimeter" was not a clear location and "if there considerable amounts of debris, the area required and duration of storage could negatively impact undisturbed areas". Too much time has been spent determining what will be done with the vegetation grubbed from the site, therefore we have committed to haul it from the site for disposal. Since the vegetation is to be hauled from the site, any rock which is of a size that cannot be incorporated into the topsoil stockpile will be hauled from the site for disposal. See Section 232.600. Mulching was suggested however we have checked local rental companies to determine the availability of a shredder and they are not available for rent. They are considered a high risk rental and they are no longer available.

R645-301-323.200 The location of Plate 3-2 was a decision made by Division personnel, when raptor nest locations were considered sensitive. The permittee has no problem with it being removed from the confidential folder and placed in the M&RP. Refer to C-2 form.

R645-301-322; -333 No potential for adverse effects of mine water consumption to the four Colorado River endangered fish species by the drilling of the degas wells. No water consumption planned for the degas wells, except for water purchased and hauled to the site. The wells will be air drilled which requires very little water. Should water be encountered in perched aquifers during drilling, they will be sealed, see Section 728.300.

R645-301-341 California Brome seed was not included in the seed mix, since the seed is purchased from growers in California and is not likely to germinate well. The other recommended changes have been made and Kentucky bluegrass was added as it was inventoried during the vegetation survey and by adding it to the seed mix, it contributes to diversity in the mix.

R645-301-131 A resume for Layne Jensen, EarthFax Engineering has been added to Attachment 2-2.

Recommendations - Priscilla Burton

2h:1v Slope would require additional area to be disturbed. The permittee has committed to keep the disturbance to a minimum and the majority of the stockpiled topsoil will be redistributed in less than a month and thus reducing the pile immediately following well construction.

Mulching - see R645-301-121.200 above.

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Canyon Fuel Company, LLC

Mine: Dugout Canyon Mine

Permit Number: C/007/039

Title: Revisions to Degassification Wells G-1, G-2, & G-3 Amendment

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: <u>2.78</u> <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? |
- Explain:* _____
- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

David Spillman
Print Name

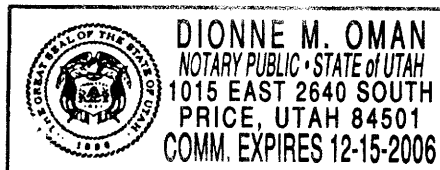
David Spillman, Engineering Manager
Sign Name, Position, Date

8/29/03

Subscribed and sworn to before me this 28 day of August, 2003

Dianne M. Oman
Notary Public

My commission Expires: 12-15, 2006
Attest: State of Utah } ss:
County of Carbon



For Office Use Only:

**Assigned Tracking
Number:**

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING
Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Canyon Fuel Company, LLC

Mine: Dugout Canyon Mine

Permit Number: C/007/039

Title: Revisions to Degassification Wells G-1, G-2 and G-3 Amendment

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

8/28/03 The Degassification Amendment is a stand alone document and will not be incorporated into the M&RP Volumes. However, Appendix 5-6 included in this submittal will be incorporated into the M&RP upon approval of this amendment.

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